

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JAIME TORRES and RAKESH KALRA, *individually*
and on behalf of all others,

Plaintiffs,

-v-

CITY OF NEW YORK, *acting through the New York*
City Police Department and New York City Department
of Finance et al.,

Defendants.
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20-CV-10210 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

On June 30, 2021, Plaintiffs filed a letter motion seeking leave to file an amended complaint. Dkt. 31. Defendants “take no position” on this request. *Id.* at 1 (internal quotation marks omitted). Pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, the Court “should freely give leave [to amend] when justice so requires.” Although this is a permissive standard, “it is within the sound discretion of the district court to grant or deny leave to amend.” *McCarthy v. Dun & Bradstreet Corp.*, 482 F.3d 184, 200 (2d Cir. 2007). A Court may deny the moving party’s request “for good reason, including futility, bad faith, undue delay, or undue prejudice to the opposing party.” *Id.* The Court finds that none of these four considerations weigh against granting Plaintiffs’ request and Defendants do not argue otherwise. Plaintiffs’ letter motion for leave to file an amended complaint is thus granted. Plaintiffs shall file their amended complaint by July 6, 2021.

Defendants’ motion to dismiss, Dkt. 26, is denied as moot. Plaintiffs’ letter motion requesting oral argument on Defendants’ motion, Dkt. 29, is also denied as moot.


Defendants shall answer or otherwise respond to Plaintiffs’ amended complaint by July 27, 2021. If Defendants wish to file a motion to dismiss the amended complaint, they may do so without

first filing a pre-motion letter in accordance with the Court's Individual Rules and Practices in Civil Cases. In the event that Defendants file a motion to dismiss Plaintiffs' amended complaint, Plaintiffs shall file their opposition by August 10, 2021. Any reply shall be filed by August 17, 2021.

The Clerk of Court is respectfully directed to terminate the motions pending at Docket Numbers 26, 29, and 31.

SO ORDERED.

Dated: July 1, 2021
New York, New York



JOHN P. CRONAN
United States District Judge